

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

AVISTUS FOBATE,

Case No. 2:22-cv-01948-ART-VCF

Plaintiff,

ORDER

v.

R.J. SMITH, *et al.*,

Defendants.

9 On January 6, 2023, the Court issued a screening order and granted Plaintiff until
10 February 6, 2023, to file an amended complaint or the case would proceed on Plaintiff's
11 Eighth Amendment failure to protect claim. (ECF No. 3 at 10). On January 26, 2023,
12 Plaintiff submitted a motion for an extension of time to March 23, 2023. (ECF No. 5).

13 The Court grants the motion for an extension of time. Plaintiff will file the amended
14 complaint on or before March 23, 2023. If Plaintiff chooses not to file an amended
15 complaint, this case will proceed on Plaintiff's Eighth Amendment failure to protect claim.
16 (ECF No. 3 at 10).

17 For the foregoing reasons, it is ordered that the motion for extension of time (ECF
18 No. 5) is granted. Plaintiff shall file his amended complaint on or before March 23, 2023.

19 It is further ordered that, if Plaintiff fails to timely file his amended complaint, this
20 action will proceed on Plaintiff's Eighth Amendment failure to protect claim.

22 DATED THIS 31st day of January 2023.

Carl Gaddis

UNITED STATES MAGISTRATE JUDGE